IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION (ST.) NO.246 OF 2005

A.N. Pande.....Petitioner

Versus

The State of Maharashtra.....Respondents

Mr.G.R.Dwivedi i/b.G.Dwivedi & Co., for the Petitioner

CORAM: F.I. REBELLO J.
DATE : 14th January, 2005

P.C.:

. Heard learned Counsel for the petitioner. It is the case of the petitioner, a practising Advocate, that an F.I.F. has been filed against him based on the order dated 4th November, 2004. A perusal of the order would indicate that there is no direction to file an F.I.R. against the Advocate and it is restricted only to the Plaintiff therein and the Notary.

2. On a perusal of the impugned order dated 4th November, 2004 it is clear as set out in paragraph 10 of the order as filed with this petition that the complaint is ordered to be filed against the Plaintiff Kailash Wanji Rathod and the Notary. That being the case really speaking there is nothing which requires interference against the order dated 4th November, 2004 as the learned Judge has not passed any order directing filing of criminal complaint against the Lawyer appearing in the matter.

3. However, considering the facts and circumstances and as a Lawyer apprehends his arrest, the Police are directed not to arrest the Lawyer Shri Awadh Narayan Pande as and upto 20th January, 2005. In the meantime the petitioner Lawyer to move the appropriate Side of this Court for the relief which he may be entitled to. With the above observations, Writ Petition disposed of. No order as to costs.

. Parties/Authorities to act on an ordinary copy of this order duly authenticated by the Personal Secretary/Associate of this Court.

(F.I.REBELLO, J.)